

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JEFFREY CHIDESTER and NICHOLE
CHIDESTER, Individually and as Parents and
Next Friends of SYDNEY CHIDESTER, a Minor,

Plaintiffs,

ORDER

v.

13-cv-520-bbc

CAMP DOUGLAS FARMERS COOPERATIVE,
TRIANGLE INSURANCE COMPANY, INC.
and CHICAGO REGIONAL COUNCIL OF CARPENTERS
HEALTH AND WELFARE FUND,

Defendants.

v.

ZURN PEX, INC.,

Third-Party Defendant.

On October 31, 2013, dkt. #36, plaintiffs filed a motion for leave to amend their complaint to add Chicago Regional Council of Carpenters Health and Welfare Fund as a defendant. In an order dated December 9, 2013, dkt. #50, I noted that plaintiffs and the fund are both citizens of Illinois, which would destroy diversity jurisdiction under 28 U.S.C. § 1332. However, because the fund is plaintiffs' subrogated insurer, its interests are aligned with plaintiffs', so I granted their motion for leave to amend on the condition that they move to realign the fund as a plaintiff promptly after service.

Plaintiffs have filed and served their complaint and have filed an unopposed motion to realign the fund as a plaintiff. Accordingly, IT IS ORDERED that the motion to realign Chicago Regional Council of Carpenters Health and Welfare Fund as a plaintiff, dkt. #54, is GRANTED.

Entered this 4th day of February, 2014.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge